

ORDINANCE NO. 17-037

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA AMENDING **CHAPTER 5 - BUILDINGS AND BUILDING REGULATIONS, SEC. 5-19 (a) IN ORDER TO REMOVE THE DIRECTOR OF BUILDING AND COMMUNITY RESPONSE FROM THE BOARD OF EXAMINERS OF CONTRACTORS**; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR REPEAL OF ORDINANCES OR PARTS THEREOF IN CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, The State of Florida has comprehensive and well defined Government in the Sunshine Laws; and

WHEREAS, The City of Fort Pierce is bound to adhere to the provisions of Florida Law; and

WHEREAS, The City of Fort Pierce Board of Examiners of Contractors is bound to adhere to the provisions of Florida Law; and

WHEREAS, it is necessary to remove the Building Director from the Board of Examiners of Contractors in order to ensure that there is no conflict with the Government in the Sunshine Laws; and

NOW THEREFORE, BE IT ORDAINED by the City Commission of the City of Fort Pierce, Florida:

SECTION 1. Chapter 5, Article II, Division 1, Sec. 5-19(a) of the Code of Ordinances of the City of Fort Pierce, Florida, is hereby amended so that the same shall read hereinafter as follows:

ARTICLE II. – CONTRACTORS DIVISION 1. - GENERALLY

Sec. 5-19. – Board of examiners of contractors- members; officers generally; meetings; rules

(a) There shall be appointed by a majority vote of the city commission a board of examiners of contractors, consisting of ~~ten (10)~~ nine (9) members who have been residents of the county for at least two (2) years prior to the date of their appointment. ~~except that this shall not apply as to the director of building and community response.~~ The term of office of each member of the board shall be for four (4) years, but the city commission may remove any member of the board without cause, notice or hearing. Members appointed to fill vacancies caused by death, resignation or removal shall serve during the unexpired terms of their predecessors. The board shall consist of ~~the director of building and community response,~~ three (3) consumer representatives, and six (6) members licensed in the State of Florida from any of the following fields: architect; engineer; swimming pool, roofing, or other specialty contractor; general, residential, or building contractor; electrical contractor; plumbing contractor; or mechanical or air-conditioning contractor.

SECTION 2. The provisions of this Ordinance are declared to be severable and if any section, sentence, clause, or phrase of this Ordinance shall, for any reason, be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but shall remain

in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

SECTION 3. All Ordinances or parts of Ordinances in conflict herewith are and the same shall be repealed and shall be of no further force or effect whatsoever.

SECTION 4. This Ordinance is and the same shall become effective immediately upon final passage hereof.

APPROVED AS TO FORM & CORRECTNESS:

James M. Messer, Esq.
City Attorney

STATE OF FLORIDA
COUNTY OF ST. LUCIE

WE, THE UNDERSIGNED, Mayor Commissioner and the City Clerk of the City of Fort Pierce, Florida, do hereby certify that the foregoing and above Ordinance No.17-037 was duly advertised by title only in the St. Lucie News Tribune on November 24, 2017; copy of said Ordinance was made available at the office of the City Clerk to the public upon request; said Ordinance was duly introduced, read by title only, and passed on first reading by the City Commission of the City of Fort Pierce, Florida, on December 4, 2017; and was duly introduced, read by title only, and passed on second and final reading on December 20, 2017 by the City Commission of the City of Fort Pierce, Florida.

IN WITNESS HEREWITH, we hereunto set our hands and affix the Official Seal of the City of Fort Pierce, Florida, this 20th day of December, 2017.

Linda Hudson
Mayor Commissioner

ATTEST:

Linda W. Cox
City Clerk

(City Seal)